

**General Docket**  
**United States Court of Appeals for District of Columbia Circuit**

**Court of Appeals Docket #:** 18-5037

**Docketed:** 02/13/2018  
**Termed:** 02/05/2019

**Nature of Suit:** 2895 Freedom of Information Act of 1974

Bradley Waterman v. IRS

**Appeal From:** United States District Court for the District of Columbia

**Fee Status:** Fee Paid

**Case Type Information:**

- 1) Civil US
- 2) United States
- 3)

**Originating Court Information:**

**District:** 0090-1 : [1:16-cv-01823-RJL](#)

**Lead:** [1:16-cv-01823-RJL](#)

**Trial Judge:** Richard J. Leon, U.S. District Judge

**Date Filed:** 09/12/2016

**Date Order/Judgment:**

**Date NOA Filed:**

01/24/2018

02/07/2018

**Prior Cases:**

None

**Current Cases:**

None

**Panel Assignment:**

**Panel:** MBG TBG RLW

**Date of Hearing:** 11/13/2018

**Date of Decision:** 02/05/2019

**Date Completed:** 02/05/2019

Bradley S. Waterman

Plaintiff - Appellant

Stephanie Glaberson

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[COR LD NTC Retained]

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v.

Internal Revenue Service  
Defendant - Appellee

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Bradley S. Waterman,













Plaintiff - Appellant

v.

Internal Revenue Service,


Defendant - Appellee


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02/13/2018		US CIVIL CASE docketed. [18-5037] [Entered: 02/13/2018 03:28 PM]
02/13/2018	 21 pg, 1.17 MB	NOTICE OF APPEAL [1717783] seeking review of a decision by the U.S. District Court in 1:16-cv-01823-RJL filed by Bradley S. Waterman. Appeal assigned USCA Case Number: 18-5037. [18-5037] [Entered: 02/13/2018 03:29 PM]
02/13/2018	 2 pg, 46.45 KB	CLERK'S ORDER [1717785] filed directing party to file initial submissions: APPELLANT docketing statement due 03/15/2018. APPELLANT certificate as to parties due 03/15/2018. APPELLANT statement of issues due 03/15/2018. APPELLANT underlying decision due 03/15/2018. APPELLANT deferred appendix statement due 03/15/2018. APPELLANT notice of appearance due 03/15/2018. APPELLANT transcript status report due 03/15/2018. APPELLANT procedural motions due 03/15/2018. APPELLANT dispositive motions due 03/30/2018; directing party to file initial submissions: APPELLEE certificate as to parties due 03/15/2018. APPELLEE entry of appearance due 03/15/2018. APPELLEE procedural motions due 03/15/2018. APPELLEE dispositive motions due 03/30/2018 [18-5037] [Entered: 02/13/2018 03:30 PM]
02/15/2018	 2 pg, 103.66 KB	ENTRY OF APPEARANCE [1718230] filed by Marion E.M. Erickson on behalf of Appellee IRS. [18-5037] (Erickson, Marion) [Entered: 02/15/2018 04:22 PM]
03/13/2018	 3 pg, 33.88 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1721922] filed by Bradley S. Waterman [Service Date: 03/13/2018 ] [18-5037] (Vladeck, David) [Entered: 03/13/2018 10:02 AM]
03/13/2018	 21 pg, 2.41 MB	DOCKETING STATEMENT, ENTRY OF APPEARANCE, STATEMENT OF INTENT TO UTILIZE JOINT APPENDIX, STATEMENT OF ISSUES TO BE RAISED, TRANSCRIPT STATUS REPORT, and DISTRICT COURT DECISION [1721924] filed by Bradley S. Waterman [Service Date: 03/13/2018 ] [18-5037]--[Edited 03/13/2018 by DJR--MODIFIED DOCKET TEXT] (Vladeck, David) [Entered: 03/13/2018 10:09 AM]
03/13/2018	 15 pg, 782.33 KB	UNDERLYING DECISION IN CASE [1721926] submitted by Bradley S. Waterman [Service Date: 03/13/2018 ] [18-5037] (Vladeck, David) [Entered: 03/13/2018 10:14 AM]
03/13/2018	 1 pg, 940.03 KB	ENTRY OF APPEARANCE [1722009] filed by David C. Vladeck on behalf of Appellant Bradley S. Waterman. [18-5037] (Vladeck, David) [Entered: 03/13/2018 01:52 PM]
03/14/2018	 3 pg, 110.56 KB	NOTICE [1722276] to withdraw attorney L. Barrett Boss who represented Bradley S. Waterman in 18-5037 filed by Bradley S. Waterman [Service Date: 03/14/2018 ] [18-5037]--[Edited 03/15/2018 by DJR--MODIFIED EVENT] (Boss, L.) [Entered: 03/14/2018 03:23 PM]
04/05/2018	 3 pg, 88.92 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1725384] filed by IRS [Service Date: 04/05/2018 ] [18-5037] (Erickson, Marion) [Entered: 04/05/2018 02:13 PM]
04/11/2018	 2 pg, 77.14 KB	CLERK'S ORDER [1726270] filed setting briefing schedule: APPELLANT Brief due 05/21/2018. APPELLEE Brief due on 06/20/2018. APPELLANT Reply Brief due 07/05/2018. DEFERRED APPENDIX due 07/12/2018. Final Briefs due 07/26/2018. [18-5037] [Entered: 04/11/2018 05:48 PM]
04/18/2018	 1 pg, 31.88 KB	ENTRY OF APPEARANCE [1727212] filed by Stephanie Glaberson and co-counsel David C. Vladeck on behalf of Appellant Bradley S. Waterman. [18-5037] (Glaberson, Stephanie) [Entered: 04/18/2018 05:53 PM]
05/17/2018		ENTRY OF APPEARANCE [1731454] filed by Gretchen M. Wolfinger on behalf of Appellee IRS. [18-5037] (Wolfinger, Gretchen) [Entered: 05/17/2018 12:29 PM]


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018 2 pg, 108.35 KB


05/21/2018  APPELLANT BRIEF [1731980] filed by Bradley S. Waterman [Service Date: 05/21/2018 ] Length of Brief: 10,720 words. [18-5037] (Glaberson, Stephanie) [Entered: 05/21/2018 02:41 PM]


05/22/2018  UNOPPOSED MOTION [1732149] to extend time to file brief to 07/11/2018 filed by IRS [Service Date: 05/22/2018 ] Length Certification: 276. [18-5037] (Wolfinger, Gretchen) [Entered: 05/22/2018 01:47 PM]


05/24/2018  CLERK'S ORDER [1732591] filed granting appellee's unopposed motion to extend time [\[1732149-2\]](#), The following revised briefing schedule will now apply: APPELLEE Brief due on 07/11/2018. APPELLANT Reply Brief due 08/10/2018. DEFERRED APPENDIX due 08/17/2018. Final Briefs due 08/31/2018. [18-5037] [Entered: 05/24/2018 12:06 PM]


07/11/2018  ENTRY OF APPEARANCE [1740227] filed by Gretchen M. Wolfinger and co-counsel Michael J. Haungs on behalf of Appellee IRS. [18-5037] (Haungs, Michael) [Entered: 07/11/2018 03:03 PM]


07/11/2018  APPELLEE BRIEF [1740244] filed by IRS [Service Date: 07/11/2018 ] Length of Brief: 8,515 words. [18-5037] (Wolfinger, Gretchen) [Entered: 07/11/2018 03:36 PM]


08/06/2018  UNOPPOSED MOTION [1744246] to extend time to file reply to 08/20/2018 filed by Bradley S. Waterman [Service Date: 08/06/2018 ] Length Certification: 250 words. [18-5037] (Glaberson, Stephanie) [Entered: 08/06/2018 05:33 PM]


08/07/2018  CLERK'S ORDER [1744465] filed granting appellant's unopposed motion to extend time to file the reply brief [\[1744246-2\]](#), The following revised briefing schedule will now apply: APPELLANT Reply Brief due 08/20/2018. DEFERRED APPENDIX due 08/27/2018. Final Briefs due 09/10/2018. [18-5037] [Entered: 08/07/2018 05:43 PM]


08/20/2018  APPELLANT REPLY BRIEF [1746440] filed by Bradley S. Waterman [Service Date: 08/20/2018 ] Length of Brief: 3,520 Words. [18-5037] (Glaberson, Stephanie) [Entered: 08/20/2018 03:24 PM]


08/27/2018  JOINT APPENDIX [1747483] filed by Bradley S. Waterman. [Volumes: 1] [Service Date: 08/27/2018 ] [18-5037] (Glaberson, Stephanie) [Entered: 08/27/2018 11:06 AM]

09/07/2018  APPELLEE FINAL BRIEF [1749571] filed by IRS [Service Date: 09/07/2018 ] Length of Brief: 8,542 words. [18-5037] (Wolfinger, Gretchen) [Entered: 09/07/2018 04:03 PM]

09/10/2018  APPELLANT FINAL BRIEF [1749793] filed by Bradley S. Waterman [Service Date: 09/10/2018 ] Length of Brief: 10,501. [18-5037] (Glaberson, Stephanie) [Entered: 09/10/2018 01:46 PM]




09/10/2018  APPELLANT FINAL REPLY BRIEF [1749796] filed by Bradley S. Waterman [Service Date: 09/10/2018 ] Length of Brief: 3,467. [18-5037] (Glaberson, Stephanie) [Entered: 09/10/2018 01:48 PM]

09/24/2018  CLERK'S ORDER [1752339] filed scheduling oral argument on Tuesday, 11/13/2018. [18-5037] [Entered: 09/24/2018 03:08 PM]

11/06/2018  PER CURIAM ORDER [1758928] filed allocating oral argument time as follows: Appellant -

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018	1 pg, 42.03 KB	10 Minutes, Appellee - 10 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney by 11/08/2018 [18-5037] [Entered: 11/06/2018 04:52 PM]
11/07/2018		FORM 72 submitted by arguing attorney, Gretchen M. Wolfinger, on behalf of Appellee IRS ( <i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i> ). [18-5037] (Wolfinger, Gretchen) [Entered: 11/07/2018 10:26 AM]
11/07/2018		FORM 72 submitted by arguing attorney, Stephanie Glaberson, on behalf of Appellant Bradley S. Waterman ( <i>For Internal Use Only: Form is restricted to protect counsel's personal contact information</i> ). [18-5037] (Glaberson, Stephanie) [Entered: 11/07/2018 04:16 PM]
11/13/2018	 1 pg, 40.15 KB	ORAL ARGUMENT HELD before Judges Garland, Griffith and Wilkins. [18-5037] [Entered: 11/13/2018 09:48 AM]
01/30/2019	 3 pg, 110.75 KB	LETTER [1771153] pursuant to FRAP 28j advising of additional authorities filed by IRS [Service Date: 01/30/2019 ] [18-5037] (Wolfinger, Gretchen) [Entered: 01/30/2019 04:57 PM]
02/05/2019	 4 pg, 149.65 KB	PER CURIAM JUDGMENT [1771931] filed (without memorandum) that the decision of the district court be VACATED. It is FURTHER ORDERED that the case be remanded to the district court for further proceedings consistent with this judgment. (SEE JUDGMENT FOR DETAILS) twitholding issuance of the mandate. Before Judges: Garland, Griffith, and Wilkins. [18-5037] [Entered: 02/05/2019 08:56 AM]

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